

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES M. PLASSE

Plaintiff,

vs.

**TYCO ELECTRONICS
CORPORATION,**

Defendant.

Civil Action No. 04-CV-30056-MAP

**TYCO ELECTRONICS CORPORATION'S MOTION
FOR LEAVE TO FILE REPLY TO
PLAINTIFF'S PARTIAL OPPOSITION TO MOTION TO COMPEL**

Tyco Electronics Corporation ("TEC") hereby moves the Court for leave to file a brief Reply to the Plaintiff's Partial Opposition to TEC's Motion to Compel. This Reply serves three purposes. First, it seeks to explain why TEC believes that plaintiff's concession to produce only "the computer he owned in November and December 2004" is not adequate to address the issue posed. Second, it seeks to explain why plaintiff's request for a court-appointed expert is inappropriate and unnecessary. Third, it seeks to explain the need for plaintiff's deposition on the limited topic of ensuring that the relevant computer or other media are subject to the inspection. TEC believes that this Reply will assist the Court in resolving the pending Motion to Compel, and respectfully asks the court to consider the attached Reply.

Respectfully submitted,

TYCO ELECTRONICS CORPORATION,

By its attorneys:

/s/ Jeffrey D. Clements

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CERTIFICATE OF SERVICE

I, Jeffrey D. Clements, hereby certify that a copy of the foregoing document was served electronically to counsel of record for the plaintiff on June 27, 2005.

/s/ Jeffrey D. Clements

Jeffrey D. Clements

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Jeffrey D. Clements, hereby certify that counsel conferred with opposing counsel, Maurice Cahillane, Esq. by e-mail correspondence on June 27, 2005 concerning the above motion to for leave to file a reply and opposing counsel stated that plaintiff does not consent to the motion.

/s/ Jeffrey D. Clements

Jeffrey D. Clements